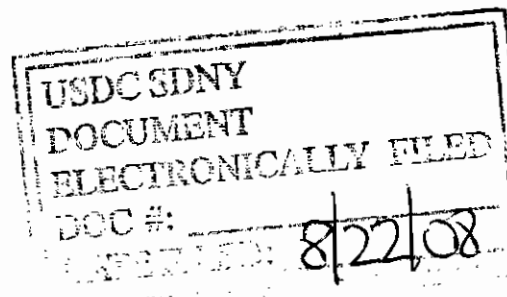


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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SARAH KUNSTLER, et al.,

Plaintiffs,

**STIPULATION OF
SETTLEMENT AND ORDER
OF DISMISSAL**

-against-

04 Civ. 1145 (RWS)(MHD)

THE CITY OF NEW YORK, et al.,

Defendants.
----- x

WHEREAS, plaintiffs commenced this action by filing a complaint on or about February 11, 2004, alleging that defendants violated plaintiffs' federal civil and state common law rights; and

WHEREAS, on or about April 7, 2004 plaintiffs filed a First Amended Complaint, the parties to which are incorporated by reference herein; and

WHEREAS, defendants deny any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed against defendants, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiffs Elizabeth Andrews, Marian Banzhaf, Timothy Aribert Becker, Brenna Bell, Bernard Blythe, Alexander

Bollag, George Bollag, Eliza Brown, Claudia Calhoon, Noam David Dolgin, Stephen Duncombe, Shawn Ewald, Megan Farrington, William Fisher, Cristian Fleming, Matthew Flower, Thomas Gallagher, Daniel Kahn Gillmor, Kyle Goen, Donna Gould, Andrew Warren Greenberg, Louis Guida, Eva Hageman, Jenny Heinz, Kathi-Jane (K.J.) Holmes, Kevin Hsi, Gitelle Kaplan, Leslie Kielson, Sarah Kunstler, Eric Laursen, Tracy Malikowski, Bennet Maurer, Erik Mercer, Kimberlie Muench, Chris Posteraro, Dawn Reel, Nicolas Rudikoff, Mina Samuels, Michael Schuval, Danzy Senna, Louisa Shafia, Michael Shenker, Ben Shepard, Ahmad Shirazi, Ann Shirazi, Leslie Simpson, Jessica Van Vaerenewyck Brewer, Rebecca Vaughn, Daniel Veal, Craig Webster, Laurie Wen, and Lee Whiting, Jr. Eighteen Thousand Two Hundred and Sixty-Nine Dollars and Twenty-Three Cents (\$18,269.23) each, plus the combined sum of Seven Hundred and Thirty-Three Thousand (\$733,000.00) Dollars, to be paid directly to Emery Celli Brinckerhoff & Abady, attorneys, for costs, expenses and attorneys' fees, and Three Hundred and Twenty-Five Thousand (\$325,000.00) Dollars, to be paid directly to the Center for Constitutional Rights, attorneys, for attorneys' fees, in full satisfaction of all claims, including all claims for costs, expenses and attorneys' fees. In consideration for the payment of these sums, plaintiffs agree to dismissal of all claims against defendants and to release the defendants and any present or former employees and agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action which were or could have been alleged in this action, including claims for costs, expenses and attorneys' fees.

3. Plaintiffs shall execute and deliver to defendants all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraphs "2" above and Affidavits Concerning Liens.

4. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

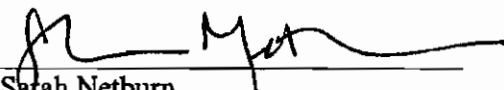
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary

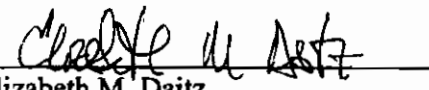
the terms and conditions contained herein.

Dated: New York, New York
July 31, 2008


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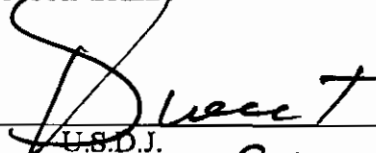
By: 
Sarah Netburn

By: 
Elizabeth M. Daitz
Assistant Corporation Counsel
Special Federal Litigation Division

Matthew Strugar, Esq.
Center for Constitutional Rights
666 Broadway 7th floor
New York, NY 10012

By: 
Matthew Strugar

SO ORDERED


U.S.D.J. 8.20.08